

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

RASHAD C. LEE, )  
                  )  
Plaintiff,      )  
                  )  
v.                )      CIVIL ACTION NO.  
                  )  
                  )      2:23cv523-MHT  
                  )  
L.B. SMITHART, et al., )      (WO)  
                  )  
                  )  
Defendants.     )

JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (Doc. 11) is adopted.

(2) Plaintiff's claims against defendants Judge L. B. Smithart, District Attorney Ben Reeves, Assistant District Attorney Rebecca Kelly, and Judge Christopher Hughes are dismissed with prejudice under 28 U.S.C. § 1915A(b)(1).

(3) Plaintiff's claims which go to the fundamental legality of the conviction on which he is currently

incarcerated are dismissed without prejudice under 28 U.S.C. § 1915A(b)(1) as such claims provide no basis for relief at this time in the instant cause of action.

No costs are taxed.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 29th day of January, 2024.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE